

REMARKS

At the outset, applicants would like to thank Examiner Mertz for her time and consideration of the present application at the interview of August 5, 2004 with the undersigned. At the interview, the issues raised in the outstanding Official Action were discussed.

Claims 88 and 92-95 were rejected under 35 USC §112, first paragraph, for allegedly not satisfying the enablement requirement. Applicants believe that the present amendment obviates this rejection.

Claims 89-91 have been amended so that they are now in independent form. Claims 88 and 92-97 have been cancelled. Thus, applicants request that the rejection be withdrawn.

Claims 92-95 and 97 were rejected under 35 USC §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants believe the present amendment obviates this rejection.

Indeed, as noted above, claims 92-95 and 97 have been canceled. Thus, applicants believe that the present amendment obviates this rejection.

At this time, applicants respectfully direct the Examiner's attention to the Interview Summary. While the Interview Summary recommends amending claim 88 to recite a method comprising contacting cells in vitro with a serrate-1 polypeptide

selected from the group consisting of SEQ ID NO: 5, 6, or 7, applicants note that claims 89-91 are directed to SEQ ID NOS: 5, 6 and 7, respectively. Thus, applicants believe that claims 89-91 are similar in scope to proposed claim 88 in the Interview Summary and also allowable.

In view of the present amendment and the foregoing remarks, therefore, applicants believe that the present application is in condition for allowance, with claims 89-91, as presented. Allowance and passage to issue on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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